



Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
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Molly C. Dwyer
Clerk of Court

February 04, 2010

No.: 10-35116
D.C. No.: 2:08-cv-01731-RSL
Short Title: Open Market Inc v. Sprint Spectrum LP, et al

Dear Appellant/Counsel

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

The due dates for filing the parties' briefs and otherwise perfecting the appeal have been set by the enclosed "Time Schedule Order," pursuant to applicable FRAP rules. These dates can be extended only by court order. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1.

Enclosed with this letter is an appellate processing schedule along with a case processing checklist to help you monitor the progress of your case.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

FEB 04 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

WILMA ARMER, individually and on
behalf of all others similarly situated;
GREGORY MCNEILL,

Plaintiffs,

OPENMARKET INC, a Michigan
corporation,

Defendant-cross-defendant - Appellant,

v.

SPRINT SPECTRUM LP, a Delaware
limited partnership; NEXTEL WEST
CORPORATION, a Delaware
corporation,

Defendants-cross-claimants - Appellees.

No. 10-35116

D.C. No. 2:08-cv-01731-RSL
U.S. District Court for Western
Washington, Seattle

TIME SCHEDULE ORDER

The parties shall meet the following time schedule:

- Thu., February 11, 2010** Mediation Questionnaire due. If your registration for Appellate ECF is confirmed after this date, the Mediation Questionnaire is due within one day of receiving the email from PACER confirming your registration.

Thu., May 20, 2010 Petitioners' opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1.

Mon., June 21, 2010 Respondents' answering brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1.

The optional appellant's reply brief shall be filed and served within fourteen days of service of the appellee's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. See 9th Cir. R. 42-1.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Kathy Morris
Deputy Clerk